

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

UNITED STATES OF AMERICA : **DOCKET NO. 5:08-CR-53 (HL)**
v. :
QUINTON D. GIBSON :
_____ :

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, on November 3, 2008, defendant Quinton D. Gibson (hereinafter referred to as "defendant") pled guilty to Counts One through Nine of a Superseding Information charging he did, aided and abetted by others, both known and unknown, with intent to defraud, pass and utter falsely made, forged and counterfeited obligations of the United States, which he then knew to be falsely made, forged and counterfeited, each passing and utterance being a separate count, in violation of Title 18, United States Code, Section 472;

AND WHEREAS, Count Ten of the Superseding Information is a forfeiture count, pursuant to which the United States seeks forfeiture under 18 U.S.C. § 982, of specific property which represents proceeds of the offense;

AND WHEREAS, the Court has determined, based on the evidence already in the record and defendant's plea agreement:

- (1) that defendant has an ownership interest in the following property;
- (2) that the following property is subject to forfeiture pursuant to 18 U.S.C. § 982(a)(2)(B); and
- (3) that the United States has established the requisite nexus between the aforesaid offense and the following property.

THEREFORE the defendant's interest in the following described property, is hereby forfeited to the United States: \$2,379.00 in United States currency.

Upon entry of this Order, the United States Attorney General or his designee is authorized to seize the property, and to conduct proper discovery in identifying, locating or disposing of the property in accordance with FED. R. CRIM. P. 32.2(b)(3).

Upon entry of this Order, the United States Attorney General or his designee is authorized to commence any applicable proceeding to comply with statutes governing third-party rights, including giving notice of this Order.

The United States shall publish notice of the Order and its intent to dispose of the property in such a manner as the United States Attorney General or his designee may direct. The United States may also, to the extent practicable, provide written notice to any person known to have an alleged interest in the property.

Any person, other than the above-named defendant, asserting a legal interest in the property must, within thirty-five (35) days after receipt of notice, or no later than sixty (60) days from the first day of publication on the official internet government forfeiture site, www.forfeiture.gov, whichever is earlier, petition the Court for a hearing without a jury to adjudicate the validity of his alleged interest in the property, and for an amendment of the Order of Forfeiture, pursuant to 21 U.S.C. § 853(n), as incorporated by 18 U.S.C. § 982(b).

Pursuant to FED. R. CRIM. P. 32.2(b)(3), this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing and shall be made part of the sentence and included in the judgment.

Any petition filed by a third-party asserting an interest in the property shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the property, the time and circumstances of the petitioner's acquisition of the right, title or interest in the property, any additional facts supporting the petitioner's claim and the relief sought.

After the disposition of any motion filed under FED. R. CRIM. P. 32.2(c)(1)(A) and before a hearing on the petition, discovery may be conducted in accordance with the Federal Rules of Civil Procedure upon a showing that such discovery is necessary or desirable to resolve factual issues.

The United States shall have clear title to the property following the Court's disposition of all third-party interests, or if none, following the expiration of the period provided in 21 U.S.C. § 853(n) for the filing of third-party petitions.

The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to FED. R. CRIM. P. 32.2(e).

SO ORDERED, this 7th day of November, 2008.

s/ Hugh Lawson

HUGH LAWSON, CHIEF JUDGE
UNITED STATES DISTRICT COURT

PREPARED BY:
s/DONALD L. JOHSTONO
ASSISTANT UNITED STATES ATTORNEY
GEORGIA BAR NO: 397015